

## CHILDREN'S HEALTH AND ENVIRONMENT COMMITTEE

**DATE:** March 30, 2005

**CALLED TO ORDER:** 5:01 p.m.

**ADJOURNED:** 7:11 p.m.

### ATTENDANCE

#### ATTENDING MEMBERS

Angela Mansfield, Chair  
Patrice Abduallah  
Greg Bowes  
Susie Day  
Scott Keller  
William Oliver  
Steve Talley

#### ABSENT MEMBERS

Jim Bradford

### AGENDA

#### PUBLIC FORUM

Members of the public will be invited to express their views regarding the proposed smokefree air act.

PROPOSAL NO. 45, 2005 - amends the Code by establishing nonsmoking areas  
*(Several public hearings are anticipated on this proposal before a recommendation is made to the full Council. The proposal was postponed for action until May 5, 2005.)*

## **CHILDREN'S HEALTH AND ENVIRONMENT COMMITTEE**

The Children's Health and Environment Committee of the City-County Council met on Wednesday, March 30, 2005 at the Pecar Health Center located at 6940 N. Michigan Road. Chair Angela Mansfield called the meeting to order at 5:01 p.m. with the following members present: Greg Bowes, Susie Day, Scott Keller, William Oliver, and Steve Talley. Patrice Abdullah arrived shortly thereafter. Jim Bradford was absent. Councillor Lincoln Plowman was also in attendance.

### **PUBLIC FORUM**

PROPOSAL NO. 45, 2005 - amends the Code by establishing nonsmoking areas *(Several public hearings are anticipated on this proposal before a recommendation is made to the full Council. The proposal was postponed for action until May 5, 2005.)*

Chair Mansfield stated that this meeting was scheduled as a public forum to give the public the opportunity to express their opinions, with no limitations regarding the material presented as had been the case at past meetings. She said that there will be a two-minute limit on public testimony so that all who wish to speak will be given an opportunity. Chair Mansfield said that she would like to begin by thanking Matt Gutwein, president and chief executive officer (CEO) of the Health and Hospital Corporation (H&H) of Marion County, for helping to arrange the use of the Pecar Health Center. She said that holding the hearing at this location means a lot to her personally, as she actually worked for Phil and Vivian Pecar, for whom the facility is named. She added that Mr. Pecar was a great individual to work for, and it is fitting that this facility is named after him. She is equally pleased that the facility is actually in the Council district she represents.

Mr. Gutwein welcomed all Committee members and members of the public to this public forum at the Phil and Vivian Pecar Health Care Center. He said that this new facility is a community health care center that provides services for health care to anyone in the community, whether they have the ability to pay or not. It is the first place in the country where an individual can get primary care, as well as public and community health care, with case management services. He said that the Center is a national model for providing quality health care. Ninety percent of all employees at the Center are bi-lingual, with a few who are tri-lingual. With regards to Proposal No. 45, 2005, H&H and Wishard Health Centers are supportive of the ordinance. He said that the entire country of Ireland has banned smoking in its pubs. Cuba has banned smoking in public places, including restaurants. Surely the city of Indianapolis can catch up with the rest of the world.

[Clerk's Note: Councillor Abdullah arrived at 5:06 p.m.]

Chair Mansfield stated that before the meeting is opened up for public testimony, a brief presentation will be offered by Kyresa Westbrook regarding Smoke Free Indy. Ms. Westbrook said that she is a tobacco control specialist with the local American Cancer Society. In that role, she serves as the chairperson of a group called Smoke Free Indy. Smoke Free Indy was founded in 2002 and worked hard, yet unsuccessfully, to pass a comprehensive smokefree workplace ordinance. In 2004, the group was reconvened with a more structured organization to carry out a public policy campaign. She said that the group is very collaborative and diverse and their mission is to educate the community on the dangers of secondhand smoke and help to pass a smokefree ordinance. She provided packets of information to Committee members which include a list of partners and names of organizations that have signed on to support Smoke Free Indy's initiatives. [Clerk's Note: A copy of this packet and the Powerpoint presentation is attached as Exhibit A.] She recognized members of Smoke Free Indy present this evening and asked all who support the ordinance to stand. She said that some of the harmful chemicals found in cigarette smoke include ammonia, benzene, arsenic, formaldehyde, hydrogen cyanide, and carbon monoxide. She said that secondhand smoke is classified by the Environmental Protection Agency (EPA) as a Group A carcinogen, which means that it is known to cause cancer in humans. Group A carcinogens include only the most dangerous substances, such as asbestos and radon. Indiana ranks a dismal 49<sup>th</sup> in the United States for workplace protection from secondhand smoke exposure. Workers exposed to secondhand smoke on the job are 34% more likely to get lung cancer. She said that restaurant and bar workers are the least protected, and blue collar and service workers are less protected than white collar workers, which sends the errant message that those working behind a desk are more valuable. She said that many of these workers are afraid to come and speak up at these meetings for fear of losing their jobs.

Ms. Westbrook said that the most common arguments against this ordinance are that it will hurt local business and is another intrusion on personal freedoms. She said that multiple studies have disproved the myth that smokefree ordinances hurt business, and it is the role of the government to protect the health of the public. She said that separate smoking sections do not really work, as the smoking can flow from one area to the next very easily. She said that as well as reducing nonsmoker exposure to secondhand smoke, smokefree ordinances also affect smoker behavior and increase cessation of smoking. She said that this ordinance does not ban smoking completely, but it simply addresses a public health issue. She said that Smoke Free Indy applauds the bi-partisan efforts of the Council to address this important issue, and they believe it is good for public health, good for workers, and good for business.

Chair Mansfield thanked Ms. Westbrook for her presentation. She welcomed Councillor Patrice Abdullah as a new member of the Committee and Councillor Lincoln Plowman as an interested party who is not a member of the Committee. She said that the next

three meetings of the Committee will also be public forums and will be held at different locations around the City with adequate parking to allow members of the public several opportunities for input. She asked those speaking to please identify their address or Council district and which Council member represents them if they know this information.

Penny Bigelow, 1424 Sandi Drive, stated that this is a health issue, and as elected officials, the Council's first duty is to protect the public, even from themselves. She said that public officials should heed the physicians' Hippocratic oath to do no harm, and smoking harms. She said that over 70% of Indianapolis citizens do not smoke, but because they are not opposed to the proposal, the Committee may not ever hear from this silent majority. She said that studies have proven that businesses will not suffer economically, and if those restaurants that are already smokefree were hurting financially from this decision, there would not be so many others following their example. She said that looking at the long-term, the businesses and entire population will be taxed for additional health care because of smoking. She said it will be easier to get a state-wide or regional smoking ban if Indianapolis is the leader in this issue.

Fern Mirkin, citizen, said that she suffers from severe allergies, and whether or not she can eat in a restaurant or enjoy an establishment is dictated by smokers. She said that some people may be able to tolerate small amounts of secondhand smoke, but for her a thimble-full is too much. Within seconds of exposure, she has severe symptoms that linger long after exposure and sometimes last for weeks. She said that in college there were no smokefree dorm rooms and she was sick all the time. She moved to Salt Lake City, Utah because smoking was banned there and she could live a better quality life. She asked if the City is willing to stop mandatory polio vaccinations because of personal choice. She said that this is a public health issue, and waiting 50 years for the market to finally decide that exposure to deadly toxins is harmful is too long to wait.

Mickey Mauer, newly appointed chairman of the Indiana Economic Development Corporation (IEDC), said that one of the things that was important to him when Governor Mitch Daniels named him to the IEDC was that he could remain a spokesman for Smoke Free Indy. Governor Daniels agreed that was an important duty and has allowed him to do so. He said that promoting commerce and representing Smoke Free Indy are intertwined in his opinion. He said that a first-class city takes care of all of its workers and is concerned about their quality of life. One of the best ways to promote Indianapolis and Indiana is to have an ordinance in place such as this. Well over 1,000 cities have already gone smokefree, and it is eventually going to happen. So why does Indianapolis have to be last? He said that everyone will profit from passage of this ordinance.

Tim Smeehuyzen, owner of Smee's Place Bar & Grill and resident of the Butler-Tarkington area, said that after 11 years in business, he decided to go smokefree on his own. He said that in the eight months he has been smokefree, his business has grown through new customers, through sales, and through goodwill generated by a clean air

atmosphere. He said it would probably be better for his business if this ordinance was not enacted and smoking was allowed everywhere else but his place. He went smokefree because he was tired of the smoke and felt it was time and would be better for everyone. There is life after non-smoking and he wishes he had gone smokefree 10 years ago. While he may have lost a couple dozen customers at first, he has replaced those two dozen with eight or ten dozen new customers who come more often and stay longer. He said that most of his employees smoke, but now that they cannot smoke at work, they are smoking less and spending less money on cigarettes, and it is better for them all in the long run.

LaVanna Lawson, full-time student at Indiana University-Purdue University of Indianapolis (IUPUI), said that she is a resident of Councillor Bradford's district. She stated that she works at a highly trafficked bar in Broad Ripple approximately 25 to 35 hours a week in five to eight-hour shifts. She said that on slow days, there are a minimum of 10 people smoking at any given time, with as many as 50 to 100 individuals smoking on busier nights. She said that she is a nonsmoker but has to endure what every one of these smokers blows into the common air. She said that she suffers from stuffed sinuses, recurring colds, headaches, and tears caused by the smoke burning her eyes. Her clothes smell like smoke constantly and she must wash her hair several times to remove the smell of smoke. The only thing that separates her from a smoker is that she does not have a smoker's breath. She said that it is her choice to work at this establishment, but it is not her choice to breathe in the chemical-filled air. Smokers have rights, but so do nonsmokers. When someone else's right infringes on her rights, her health, and her way of life, she feels action needs to be taken. She said that many people indulge in guilty pleasures, such as a second piece of chocolate cake, that might be harmful to their health, but this is a personal choice. Smoking does not sustain life and has no medical value to anyone. If a bar can only maintain current clientele because they allow smoking when others do not, then it probably was not a great venue in the first place. She encouraged the Committee to support this ordinance, and added that healthy people fuel a healthy society.

LeRoy Hunt, 1753 Horizon Lane, said that he appreciates and respects all the comments that have been made. He said that he is beginning to think his family is God's chosen family, because he smoked heavily until 1963 and his wife succumbed to a death caused by smoking several years ago. He knows that smoking kills, but the nine children that they have are extremely healthy, and he is now healthy at 73 years of age. He said that there was secondhand smoke in his home for 32 years, and the only one it affected was the person actually smoking. He said that relating Indianapolis to Cuba is probably not a good comparison, as Cuba is run by a dictator. He said that he feels this ordinance is an attempt to impose one man's will on the masses, and the decision to smoke should be left to individuals. Smokers know the results and the consequences that come along with their decision to smoke, but they should be allowed the freedom to make their own choices.

Bruce Fox, 1611 E. Vermont Street, stated that he is a resident of Councillor Keller's district. He said that he is a third-generation smoker and no one in his past or present has ever had heart or lung problems due to secondhand smoke. He said that he began smoking at age 21 and found out that he could actually read. He said that he stopped smoking two or three years ago, but started again last October because he found he could not read and concentrate on reading without smoking, and the smoking helped him to stop living in a daze. He said that this ordinance would not allow him to walk from his home downtown to the canal and around IUPUI while smoking. He said that he smokes to combat attention deficit disorder (ADHD), and ADHD medication costs more than a pack of cigarettes each day.

Rick Sutton, 856 Hoover Village Drive, stated that he is a resident of Councillor Mansfield's district. He said that he grew up in a house where a pack or a pack and a half of cigarettes were smoked each day. He said that he has diminished lung capacity now and it takes him much longer to get over even a minor cold. He said that he tried to come down to the City-County Building twice in the last month and was forced to stand in a long security line which stretched outside the building, which was essentially the City-County Building's smoking lounge. There were no less than 20 City-County Building workers surrounding that entrance smoking, and he had to breathe that air in order to stand in line to enter the building. He said that it is the Council's obligation to protect public health, which is governed by ordinance. He said that things such as exit signs, light fixtures, and window placement are all governed by ordinances in order to protect citizens and insure their safety. He said that there is no air handling system that could clear a room this size. He said that he used to visit Smee's Place, but could not withstand the smoke, but he will now return knowing it is smokefree.

Greg Dixon, Marion County Libertarian Party vice chair and resident of Councillor Cockrum's district, said that he does not smoke and believes it to be a nasty habit, and he agrees with the special interest groups that it is harmful to one's health and something needs to be done. However, it is also his opinion that intrusive government regulation, a socialistic agenda, and an attack on personal freedoms, free enterprise, small business, and private ownership are not the answer. He said that an answer is needed, but this is not it. Why should this Council follow the lead of Fidel Castro and socialist Cuba by regulating people's lives? Why stop with the smoking ban? Why not add a few more habits to this ban? He said that it is not the government's responsibility to ban bad habits. Proponents of this ban cannot have it both ways. If government can ban smoking in private restaurants and bars, then government can ban smoking in private homes, in principle. This is a can of worms not worth opening. He said that in order to solve this problem, the Council should let time take its course. According to statistics, smoking is on the decrease. Insurance companies should be allowed to exclude coverage to individuals who smoke if they so desire. People should be allowed to choose which restaurants to eat in and business owners should be allowed to cater to their clientele's wishes. He encouraged the Committee to oppose the proposal and allow free enterprise to work.

Karmen Booker, 7218 Tappan Drive, said that she smoked briefly as a teenager, but has since chosen not to smoke. She said that secondhand smoke involves no choice. She works for an employer who has provided a smokefree facility and she is grateful for that. She said that in the past, smoking was allowed on airplanes, but it was eliminated because of the threat to public health. She asked how much data is needed before people realize secondhand smoke is harmful and people are dying from it?

Bill Smythe, president of the Indiana Amusement and Music Operators Association (IAMOA), stated that he owns four local Claude & Annie's restaurants and bars located in Councillor Bowes, Randolph, Moriarty Adams & Salisbury's districts. He said that he presented information at a prior meeting, and it is misleading to say that this ordinance will have no effect on bars, taverns, and the coin-operated amusement industry. He said that a smoking ban will hurt coin-operated businesses by 20 to 25%.

Culver Godfrey, 907 Fairway Drive, stated that he is a resident of Councillor Mansfield's district. He said that he supports the ordinance and he believes extending this smoking ban to cover bus stop shelters is a good idea. He said that he has often had to stand outside a shelter in the cold, wind, and rain because the shelter was filled with smoke and he could not breathe.

Brad Klopfenstein, state executive director for the Libertarian Party in Indiana, stated that he ran in Councillor Abdulla's Council district and is a resident of that area. He said that there is a difference between public and private property. It is very appropriate to ban parking on government and public property, as tax dollars pay for these properties and they are shared by the entire community. But dictating to private individuals what they do with their private businesses on private property opens up a Pandora's box of dictatorship. He said that it was not the government who put up the money to open these businesses, and their livelihood is not on the line if that business fails. Free enterprise works and everyone makes choices every day. Part of being free is being able to make responsible choices for one's own self.

Scott Eder, owner of Harvester Bar and Grill at 5698 Brookville Road, said that he does not know what the economic impact on his business will be, but he has asked his customers, and even his nonsmoking customers are opposed to the proposal. He said that he has gone to a lot of expense to install a great ventilation system, and he has worked hard to build his business. He has five full-time employees and two part-time employees, two of which have quit smoking in the last year working for him. He said that this is his property and his building and it is hard for him to think he can be told what to do inside those walls, when he is already very strictly regulated in other areas.

Mike Shanley, resident of Noblesville in Hamilton County, said that he would come to Marion County more often and spend more time and money downtown if this ordinance passes. He said that the evidence is overwhelming regarding health, safety, and economics. He works for a company headquartered in California, and they have gone smokefree and it has worked well for them.

Mark Webb, attorney for the Marion County chapter of the Indiana Licensed Beverage Association (ILBA), said that the ILBA opposes the ordinance because it will negatively impact their businesses. He said that the studies that have been cited to report no negative economic impact do not focus on what happens to a small business owner. He said that the hospitality industry is a very competitive environment. While many nonsmokers say they would frequent a place more often if it were smokefree, there is no evidence that they would become regular customers. These businesses pay a 1% food and beverage tax, which raised \$16 million for the Capital Improvement Board last year. He said that this ordinance would affect that revenue source.

Ann Mathioudakis, 2308 Galahad Drive, said that she has chronic obstructive pulmonary disease (COPD) as a result of exposure to secondhand smoke. She asked if it is more important to protect businesses from failing or citizens' health from failing. She said that she plays bridge with a friend who is much worse than her, and her bridge club visited Smee's Place before they went smokefree and had to leave because of the smoke, but have gone back since they went smokefree and really enjoyed the new atmosphere. She said that she also loves to dance, but could not stay at a Legion Hall function recently because of the smoky atmosphere. She said that the government regulates seatbelts, which is a public safety regulation that some people would not use, if it were not required by law.

Kelly Alley, Alliance for Health Promotion, said that she lives in Councillor McWhirter's district and believes this is such a contentious issue because it deals with a human behavior. She said that secondhand smoke is more than a nuisance or bad habit. It is a health hazard. It is in the same category as poisoning from radon, asbestos, and benzene. It is a carcinogen that causes cancer in humans. She said that the government stepped in to protect its citizens from radon, asbestos and benzene and did not wait for people to decide on their own if it was harmful or not. There is no safe level of exposure to secondhand smoke. She said that she is one of the 70% of Indianapolis residents who would like to stay in a restaurant or bar without exposure to secondhand smoke.

Allison Hines, student at Butler University, asked the Committee to remember her generation when making this decision. She said that tobacco companies are targeting young people in her generation and the encouragement from entities like the Council not to smoke is being heard. She said that although many of her generation are heeding this encouragement and choosing not to smoke, they are still not protected because of the prevalence of secondhand smoke.

[Clerk's Note: Councillor Talley left at 6:09 p.m.]

Rich Strong, director of environmental health and safety at IUPUI, said that he is a resident of Noblesville who spends most of his time and money in Marion County. He said that 15 to 17 years ago, information was clear that smoking is harmful. As a result,



all IUPUI buildings went smokefree, and last year the regulations were changed to include no smoking within 30 feet of an entrance or exit. He said that there was widespread support for banning smoking on the entire campus, but because smoking is addictive, the leadership was concerned this would become a strong issue for some. He said that smokers may have a right to smoke, but he should also have the right to breathe clean air. He said that the government has regulated air pollution, underground storage tanks, and hazardous waste in order to protect citizens. Over \$500,000 is spent each year to clean up asbestos. He commended the Committee for taking up this issue. He said that he does not eat out much and has given up bars and comedy clubs because of the smoke hazards, but would enjoy these luxuries. He added that the entertainers in bar bands and comedy clubs are also not protected, but they should be.

Chair Mansfield stated that Councillor Talley had another engagement and had to leave, asking her to extend his apologies to those still yet to speak.

Ray Baker, president of the Highland Kessler Civic League, said that he resides in Councillor Gray's district. He said at the Civic League's last annual meeting, over 30 residents were in attendance to discuss the featured topic of this smokefree ordinance. Over 75% of those present voted in favor of this ordinance, and a large portion of his neighborhood supports the ordinance. He said that he is also pleased to report that Councillor Gray stated that he supports the ordinance, as well. He said that when the Committee hears that there is little support for this action, know that there is a very large portion of the public that supports the ordinance.

Susan Wright, resident of Broad Ripple and Councillor Bradford's district, said that it is unfortunate that Councillor Bradford is not here tonight, because he does not support the smoking ban, but many of his constituents such as herself fully support it. She said that there was probably opposition to banning drunk driving also, but it was something that needed to be done to protect the city's citizens. She said that she has asthma and cannot go to bars because of the smoke. She encouraged those who oppose the ban to educate themselves on the impact of secondhand smoke. Secondhand smoke does not just cause cancer, but has an effect on many other illnesses and diseases. She said that she believes that the right to breathe overrides any other right.

Moussa Cisse, 666 E. 25<sup>th</sup> Street, said that he represents the Community Resource Network, which is an organization that helps African individuals assimilate themselves to a new environment. He said that freedom means a lot to his people and they support the ordinance. He said that there is a framed photograph of Bill Meyer at Wishard Hospital where he is holding a large cigar, and this sends a mixed message. He suggested that maybe a different picture without the cigar could be used.

Kathy Lisby, smoking cessation health educator at Wishard Health Services, stated that she currently lives outside of the county while she is caring for her mother, but is originally from the west side and plans to return to the city soon. She said that she is convinced that her asthma comes from being a former smoker and she has made a

career of helping smokers quit. She said that Wishard gets 700 referrals a year, with another 400 in outpatient classes. She said that many of these individuals became addicted as children or teenagers. She said that smoking causes disease, disability, and death. Whether a person is exposed to these carcinogens from smoking actively or through secondhand smoke, it is dangerous. She said that many of the people she works with can testify that a spouse or other loved one is sick also, even though they have never smoked and were simply exposed to secondhand smoke. She said that it is time for this type of ordinance.

Martin Bacon, general manager of the Slippery Noodle Inn, thanked Councillor Oliver for visiting their establishment. He said that although he realizes smoking is bad for a person's health, this is a business issue. The Noodle is a bar and does not allow children in their bar and have never forced any individual to come into their bar. He said that 60% of their employees smoke, but even their nonsmoking employees prefer to work in the smoking sections because the smokers tip better. He said that this is a decision that should be market-driven and decided by the customers.

Joe Mazzola, resident of Columbus, Ohio, stated that he is in town for a conference and wanted to attend the meeting to encourage the adoption of this ordinance. He said that Columbus recently went smokefree, and things are going well there. There were a lot of concerns about this change, which is normal. He said that he lives three blocks from a favorite bar, and their business continues to thrive even after the ban. He said that he recently took his nieces bowling, which is something he could not do previously because of the smoky atmosphere in bowling alleys. He said that Columbus' slogan was "It's about health and it's about time."

Holly Aprea, resident of Washington, D.C., stated that she is also in town for a conference. She said that she grew up in a smoking household and has asthma as a result and is prone to respiratory illnesses. She said that she worked nights in a restaurant that was not smokefree to pay her way through college. She said that the American Public Health Association and other organizations will not hold conferences in cities that are not smokefree. She said that she hopes this ordinance passes and that her city is soon to follow the example.

Kerry Manders, resident of Councillor Mansfield's district, stated that he is an independent Libertarian-leaning voter. He said that this is a difficult issue because of the need to protect the welfare of citizens. He said that he does not go to bars because of the smoking, but would love to visit the Noodle to listen to a local band play. He believes that there are others who would come and fill the seats if bars were to go smokefree. He added that he has concerns about the amendments made at the last meeting and feels that smoking should be banned in public parks under shelters, and any covered structures should still be included. He said that he believes the 10-foot distance from entrances and exits was a good compromise, as entrances should be open for pedestrians or emergency personnel without causing any health hazards. He

said that he personally supports the ordinance, but the group that he represents, Crooked Creek Community, has not yet taken an official vote.

Ms. Mathioudakis stated that she just received a call from her fellow bridge player that she testified about earlier who had a severe asthma attack and had to be rushed to the hospital. This is just further confirmation that outside pollutants are hazardous to the health of many of the city's citizens.

Rita Albert, Glendale resident, said that she lost her mother to lung cancer and her father has COPD and struggles to breathe. Her sister suffers from chronic bronchitis, and she ended up quitting smoking because her children begged her to. She said that she is a teacher, and back when she first started, very few had even heard of an asthma attack taking place at school, but now hardly a day goes by that a child does not suffer an asthma attack. She said that asthma is an epidemic related to smoking, and smoking continues to be glamorized for children. She said that health bills related to smoking-related illnesses have become horrendous and cost more than the loss of revenue that might be experienced by a business.

Patricia D. Feliciano, 125 Beachway Drive, stated that her father died of cardiac arrest and her mom, for whom she is the primary caregiver, is dying of emphysema, but continues to smoke. She said that it is hard to watch her mother dying day after day. She said that because she is responsible for her care, she is exposed to secondhand smoke. She said that she has a group of friends that like to dance who cannot tolerate smoke-filled bars enough to enjoy dancing in those establishments. She provided a copy of an article posted on a website written by her dance instructor which explains how she feels (attached as Exhibit B). She said that she used to be a waitress and was prone to upper respiratory infections due to the exposure to secondhand smoke, and she had to quit for the sake of her health. She asked the Committee to support Proposal No. 45, 2005.

Bronson Frick, associate director of the national non-profit organization Americans for Nonsmokers' Rights, said that he is here to represent the national perspective. He has been involved in smokefree workplace policy advocacy since Berkeley, California enacted the first such policy in 1976. He said that hundreds of cities have voted to enact smokefree ordinances, and another dozen or more are holding hearings currently. He said that this is a mainstream trend, and all workplaces will eventually become smokefree because of the occupational safety associated. He added that hospitality workers have the highest exposure to secondhand smoke and the highest cancer rate. Last month, the country celebrated the 15<sup>th</sup> anniversary of smokefree airlines, which his organization helped to accomplish. At the time, that issue was very controversial and was viewed as an impossible fight, but now no one questions it and it is taken for granted that smoking should not be allowed on an airplane. He said that some of the Libertarian Party's top donors at the national level are the tobacco companies, and the Indiana Licensed Beverage Association and the Restaurant and Hospitality Association are long-time partners of Philip-Morris Tobacco Company. He asked then whose

interests are these individuals who spoke on behalf of those organizations really representing?

Karla Sneegas, Pike Township resident, stated that those who are fearful of losing business are already losing business because of the hazardous atmosphere they provide. She said that her daughter is a student at Indiana University in Bloomington, and when they must pick her up or return her to school, they always choose to eat in a Bloomington establishment, because they are smokefree. She said that her husband has heart problems and they take great strides to choose smokefree venues for health reasons.

Councillor Oliver said that he has taken time to visit some other bars besides the Slippery Noodle unannounced. He said that most of the places he has visited have seemed to make a conscious effort to meet the needs and desires of their customers, including the nonsmokers, by providing the best possible ventilation that is on the market today.

Councillor Abdullah said that he visited Washington, D.C. in early March and read an article about Bangladesh, a population of over 10 million, which has passed a smokefree ordinance. He said that the per capita income of Bangladesh residents is a dollar a day, yet the fine for smoking is eighty cents. It is important to see the impact around the world of those taking the right to sustain life seriously. He said that smoking kills and he wants to take a murderer out of the community.

Councillor Bowes said that he appreciates all the public testimony the Committee is hearing and encouraged citizens to keep speaking up. He said that he has received some feedback on the amendment that was passed at the last meeting, and some are asking for less restrictions still, while others are saying that eliminating some language from the proposal watered it down too much. He asked the public to continue to let Committee members know how they feel on this subject.

Josh Caplinger, resident, said that the overriding question is whether these properties are public or private.

Chair Mansfield said that the next meeting is another public forum and will be held on April 6, 2005 at 6:00 p.m. at the Warren Performing Arts Center on the east side of Indianapolis. There being no further business, and upon motion duly made, the meeting was adjourned at 7:11 p.m.

Respectfully Submitted,

---

Angela Mansfield, Chair

AM/ag